

## REMARKS

This Response is made to the Office Action dated November 16, 2005. Claims 1-48 are pending in this application. Of these claims, claims 6, 9-14, 21-28, 30, and 36-48 have been withdrawn in view of a previous restriction and election of species requirement. Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented below.

The Examiner has rejected claims 1- 5, 7, 29, 31 and 33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,581,019 to Curelaru (the "Curelaru patent"). The Examiner believes that this patent discloses a sheath having a resealable longitudinal joint. However, Applicants strongly disagree with the Examiner's position since the Curelaru patent fails to mention or even remotely suggest such a feature. The Examiner merely relies on the following text from the Curelaru patent which reads as follows:

The introducer-cannula 3 is on its inferior side provided with a slit 12 extending along the entire length thereof. The introducer-cannula 3 has to be made of a material which is resilient enough for keeping the edges of the slit 12 pressed against each other.

(Col. 3.lines 14-18)

However, this passage does not support the Examiner's position that the joint or slit is resealable, but rather, to the contrary, supports Applicants' position that the slit is not resealable. The Curelaru patent clearly states that the edges of the slit 12 are pressed against each other. Absent the use of an adhesive or heat bonding, which is not disclosed in the Curelaru patent, it is not known how these edges could be sealed to each other. At best, the edges in the Curelaru patent simply abut against each other as indicated in the above-passage. However, a mere abutting relationship is not a resealable joint in accordance with the present invention. The term "resealable" as used and described in Applicants' drawings and specification requires more than just an abutting relationship between edges of the slit. Applicants direct the Examiner to Figures 3a-3d of the present application which depict just a few examples of how the edges of the joint can be interconnected to create a "resealable" joint. Clearly, the Curelaru patent fails to disclose

a resealable joint. For at least this reason alone, the Curelaru patent fails to anticipate the claims at issue.

Moreover, the resealable joint of the presently defined invention does not need adhesives or bonding procedures to join edges of the joint. In an earlier Office Action, the previous Examiner stated that "almost anything can be resealable." (Office Action dated May 5, 2005, page 4, line 9) However, the previous Examiner failed to identify how the sheaths in the previous prior art references could be resealed. The previously cited prior art references disclosed sheaths which could be split to form a pair of straight edges that abutted against each other. The previously cited prior art references showed the same abutting relationship of edges as is shown in the Curelaru patent. Applicants note that these previously cited patents were withdrawn as anticipatory references to the claims at issue. Accordingly, Applicants respectfully request that the Examiner do the same with the Curelaru patent since it fails to anticipate any of the pending claims.

Claims 8 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Curelaru patent in view of U. S. Patent No. 5,868,704 to Campbell et al. (the "Campbell patent"). These dependent claims depend from independent claims 1 and 29. For at least the reason addressed above with respect to claims 1 and 29, the Curelaru patent fails to disclose the basic structure recited in the claims. The Campbell patent fails to disclose such a joint as well. Allowance of these dependent claims is respectfully requested.

Applicants believe that independent claims 1 and 29 are generic and allowable over the cited art. Accordingly, Applicants respectfully request the Examiner to reconsider previously withdrawn claims 6 and 9-14 which depend either directly or indirectly from claim 1, along with dependent claim 30 which depends from claim 29.

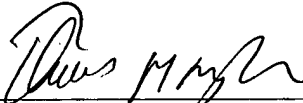
In view of the foregoing, it is respectively urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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